

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))-- SMALL BUSINESS CONCERN

Attorney Docket No. PRT-004

Applicant, Patentee, or Identifier:

Holtzman et al.

Application or Patent No.:

09/696,663

Filed or Issued:

October 25, 2000

Title:

METHOD AND SYSTEM FOR RETAIL SALE

I hereby state that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Presto Technologies, Inc.

ADDRESS OF SMALL BUSINESS CONCERN: One New England Executive Park, Burlington, MA 01803.

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d) and 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.
 each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

NAME OF PERSON SIGNING

Henry Holtzman

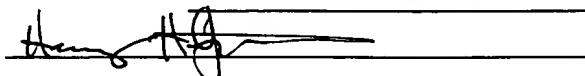
TITLE OF PERSON IF OTHER THAN OWNER

Chief Executive Officer

ADDRESS OF PERSON SIGNING

One New England Executive Park, Burlington, MA 01803

SIGNATURE



DATE

11-30-00

HCU

**DECLARATION AND POWER
OF ATTORNEY FOR UTILITY
OR DESIGN
PATENT APPLICATION**

Declaration Declaration

Submitted with Submitted after Initial
Initial Filing Filing (surcharge
 37 CFR 1.16(e) required)

Attorney Docket No.	PRT-004
First Named Inventor	Holtzman et al.
<i>COMPLETE IF KNOWN</i>	
Application Serial Number	09/696,663
Filing Date	October 25, 2000
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned

FEB 06 2001
PATENT & TRADEMARK OFFICE
U.S. DEPARTMENT OF COMMERCE

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR RETAIL SALE

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on 10/25/2000 as United States Application Serial Number or PCT International (MM/DD/YYYY)

Application Number 09/696,663 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

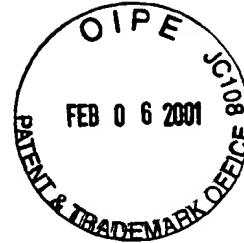
Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.
60/161,392	10/26/1999	
60/190,994	03/21/2000	
60/163,150	11/02/1999	
60/163,311	11/03/1999	
60/164,234	11/08/1999	
60/144,145	07/16/1999	
60/235,174	09/25/2000	

Declaration and Power of Attorney for Utility or Design Patent Application

Inventors: Holtzman et al.

U.S. Serial No. 09/696,663

Page 2 of 4



DECLARATION – Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/539,768	03/31/2000	
09/615,452	07/13/2000	

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Place Customer Number Bar Code Label Here

OR
 Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Steven M. Bauer	31,481	Thomas C. Meyers	36,989
John V. Bianco	36,748	Joseph B. Milstein	42,897
Isabelle A.S. Blundell	43,321	David G. Miranda	42,898
Maureen A. Bresnahan	44,559	Ronda P. Moore	44,244
Michael H. Brodowski	41,640	Indranil Mukerji	P-46,944
Jennifer A. Camacho	43,526	Edmund R. Pitcher	27,829
Joseph A. Capraro, Jr.	36,471	Michael A. Rodriguez	41,274
John J. Cotter	38,116	Jamie H. Rose	45,054
John V. Forcier	42,545	R. Stephen Rosenholm	45,283
Steven J. Frank	33,497	Christopher W. Stamos	35,370
Brian M. Gaff	44,691	Diana M. Steel	43,153
Michael J. Giannetta	42,574	Joseph P. Sullivan	45,349
Duncan A. Greenhalgh	38,678	Robert J. Tosti	35,393
William G. Guerin	41,047	Thomas A. Turano	35,722
Jonathan A. Harris	44,744	Michael J. Twomey	38,349
Ira V. Heffan	41,059	Christine C. Vito	39,061
Danielle L. Herritt	43,670	Patrick R.H. Waller	41,418
Douglas J. Kline	35,574	Daniel A. Wilson	45,508
John D. Lanza	40,060	Yin P. Zhang	44,372
Kurt W. Lockwood	40,704		

Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibeault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

Declaration and Power of Attorney for Utility or Design Patent Application

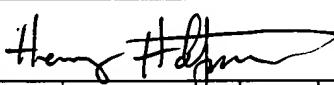
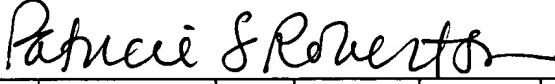
Inventors: Holtzman et al.

U.S. Serial No. 09/696,663

Page 3 of 4



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname				
Henry N.				Holtzman				
Inventor's Signature						Date	30 Nov 00	
Residence	City	West Roxbury	State	MA	Country	USA	Citizenship	USA
Post Office Address	64 Ledge Hill Road							
P.O. Address (line 2)	City	West Roxbury	State	MA	ZIP	02132	Country	USA
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto.								
Name of Second Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname				
Patricia S.				Robertson				
Inventor's Signature						Date	30 Nov 00	
Residence	City	Lexington	State	MA	Country	USA	Citizenship	USA
Post Office Address	7 Stetson Street							
P.O. Address (line 2)	City	Lexington	State	MA	ZIP	02420	Country	USA
Name of Third Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname				
Blaze				Stancampiano				
Inventor's Signature						Date	30 Nov 00	
Residence	City	Portsmouth	State	NH	Country	USA	Citizenship	USA
Post Office Address	39 Lafayette Road							
P.O. Address (line 2)	City	Portsmouth	State	NH	ZIP	03801	Country	USA

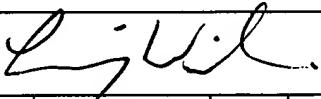
Declaration and Power of Attorney for Utility or Design Patent Application

Inventors: Holtzman et al.

U.S. Serial No. 09/696,663

Page 4 of 4

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Fourth Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname				
Craig				Wisneski				
Inventor's Signature						Date	30 Nov 00	
Residence	City	Cambridge	State	MA	Country	USA	Citizenship	USA
Post Office Address	27 Forest Street, #3							
P.O. Address (line 2)	City	Cambridge	State	MA	ZIP	02140	Country	USA

1103877-1

